

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following remarks is respectfully requested.

After entry of the foregoing amendment, Claims 1-20 are pending in the present application. Claims 1-3 and 5-20 are amended by the present amendment. No new matter is added.

In the outstanding Office Action, Claims 1, 3-6, 8-13, 15-17, and 19-20 were rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,121,981 to Trower, II et al. (hereinafter "Trower"); and Claims 2, 7, 14, and 18 were rejected under 35 U.S.C. 103(a) as unpatentable over Trower, as applied to Claims 1, 5, 13, and 16 above, and further in view of U.S. Patent No. 6,628,303 to Foreman et al. (hereinafter "Foreman").

Turning now to the rejection of Claims 1, 3-6, 8-13, 15-17, and 19-20 under 35 U.S.C. 102(e) as anticipated by Trower, that rejection is respectfully traversed.

Though amended independent Claims 1, 5, 13, and 16 are different in scope and/or statutory category, each of those claims also recite that the shape and color of a moving picture frame are set and drawn on second and third windows, respectively. The remaining claims depend from Claims 1, 5, 13, and 16.

The outstanding Office Action cites Trower as teaching the claimed first, second, and third windows. However, Trower teaches an animation system that computes the bounding region of a non-transparent portion of animation; and generates a new window with a shape matching the bounding region. A frame of animation is drawn into the new window. In other words, the shape and color of the animation frame are both set and drawn on the new window. Thus, the shape and color of the animation frame are not set and drawn on respective second and third windows (i.e., different windows), as claimed.

Accordingly, for the above-noted reasons, Applicants respectfully request that the rejection of Claims 1, 3-6, 8-13, 15-17, and 19-20 under 35 U.S.C. 102(e) as anticipated by Trower be withdrawn.

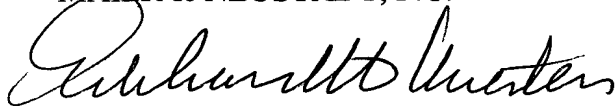
The outstanding Office Action cites Foreman as teaching a pausing of a video program playback. Even assuming *arguendo* that Foreman teaches such a feature, Foreman does not cure the above-noted deficiencies of Trower. Further, the Office Action does not cite motivation within the text of Trower, Foreman, or a reference evidencing the general knowledge of one skilled in the art, but rather asserts motivation that may be based on reconstructive hindsight of Applicants' disclosure. Accordingly, for the above-noted reasons, Applicants respectfully request withdrawal of the rejection of Claims 2, 7, 14, and 18 as unpatentable over Trower in view of Foreman; or, alternatively, citation of motivation within either the text of the applied references or a reference evidencing the general knowledge of one skilled in the art;¹

¹ MPEP 2143.01.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\STD\21's\218436US\218436US-AM.102104.DOC